
**LOCAL PLAN: MAKING AND GROWING PLACES
REVISED PREFERRED OPTIONS HOUSING SITE ALLOCATIONS
CONSULTATION RESPONSES AND NEXT STEPS**

SUMMARY REPORT

Purpose of the Report

1. To brief Scrutiny on the outcome of public consultation on the Local Plan: Making and Growing Places (MGP) Draft Revised Housing Site Proposals and seek members views. It also outlines proposed actions and the next steps in Local Plan preparation and the new information that will need to be considered in doing so.
2. A copy of the MGP Draft Revised Housing Sites Proposals is available at the following link: <http://www.darlington.gov.uk/media/163071/Revised-Housing-Site-Proposals-For-Consultation-PDF.pdf>
3. As it is not the purpose of this meeting to make decisions, Members will be considering officer responses to the consultation comments received that only indicate a direction of travel, rather than the Council's final conclusion on points raised.

Summary

4. As part of preparing the Local Plan, consultations were carried out on the MGP Draft Revised Housing Proposals from 23 May to 4 July 2014. About 750 written responses were received, and comments were also made by about 400 people who attended drop-in events and meetings. The consultation was widely publicised, and responses were received from the public, local interest groups, landowner/developer interests and statutory consultees, among others.
5. The responses covered a variety of planning (and non-planning) issues and a summary list of all the comments received and the officer responses to them will be available at www.darlington.gov.uk/MGP. Not unexpectedly, there has been strong local opposition to development on the proposed allocated housing sites. Although the reasons vary in detail between sites, there are common threads around the potential impact on local traffic, access difficulties, impact on the local amenity of adjacent properties, impact on biodiversity levels, likely flooding and surface water drainage issues, loss of recreational open space, loss of views and impact on property values (although the latter two are not planning reasons) and availability of more appropriate alternatives. Local residents also generally support the use of brownfield land for new housing before using green fields.

6. The ability of existing community services, such as schools, GPs and hospitals to cope with the additional needs arising from new housing were also widely raised as concerns, with many respondents feeling that existing services were already overstretched.
7. Specific actions are proposed to inform finalising the Local Plan housing allocation policy (MGP 16), taking into account the responses to consultations, and where appropriate changing circumstances regarding specific sites. Additional studies that have been or are being completed since the Preferred Options were drafted also need to be taken into account.
8. This report is in advance of a report scheduled for consideration by Cabinet on 2nd December and Council on 4th December, that will seek agreement of the site allocations and development management policies that it is proposed be submitted to the Government in early 2015 for independent examination in Spring/Summer 2015.

Recommendation

9. It is recommended that:
 - (a) Members note the consultation comments received and related officer responses;
 - (b) Members consider the key actions and next steps indicated in the report.

Ian Williams, Director of Economic Growth

Steve Petch: Extension 2627

Background Papers

Making and Growing Places Preferred Options Development Plan Document 2013.
 Making and Growing Places Revised Housing Site Proposals, April 2014
 Housing Technical Paper 1: New Housing, June 2013
 Update to Housing Technical Paper 1, April 2014.

S17 Crime and Disorder	The Local Plan has a role in reducing crime through the design and location of development.
Health and Well Being	A key objective of the Local Plan policies is to improve people's health and wellbeing by protecting and improving the economic, social and environmental conditions in the Borough.,
Carbon Impact	A Sustainability Appraisal was carried out on the MGRPO. Achieving sustainable development is a fundamental objective of the Local Plan.
Diversity	An Equalities Impact Assessment was carried out on the MGPPPO.

Wards Affected	All
Groups Affected	All
Budget and Policy Framework	Work on the Local Plan is being carried out within the budget allocated to the service.
Key Decision	No
Urgent Decision	No
One Darlington: Perfectly Placed	The Local Plan reflects the spatial implications of the overarching aims of One Darlington: Perfectly Placed.

MAIN REPORT

BACKGROUND

10. The Council has a statutory duty to prepare a Local Plan which should:
 - (a) translate national planning policy into local planning guidance;
 - (b) adopt a positive approach to considering development proposals to deliver sustainable development, particularly those that improve economic, social and environmental conditions.
11. The Council already has an adopted Local Development Framework Core Strategy which fulfils some of this, but to complete the local plan, it still needs to translate the strategic planning policies contained in the Core Strategy into more detailed policies for developers and local people; and
12. To this end, the Council produced, and consulted on the Making and Growing Places Preferred Options document last year which:
 - (a) set out proposals for where new housing, businesses, shops, schools, sports facilities, roads and open space will be located in the Borough to 2026;
 - (b) set out which land, such as parks and playing fields, will be protected from development; and
 - (c) identified the different matters the Council will consider in the future when assessing planning applications.
13. The issues around the suitability, viability and deliverability of potential housing sites raised by consultation responses to the Preferred Options document (considered by Place Scrutiny 20 December 2013) meant that further work on Revised Preferred Options (RPO) for new housing sites was needed before progressing to Publication stage, to ensure the likelihood of a sound plan. Without an up-to-date local plan and at least a five year supply of suitable, available and deliverable land for new housing, the Council is vulnerable to planning applications for new housing in unsustainable locations being granted on appeal.
14. Once adopted, Making and Growing Places will replace the remaining saved policies of the existing of 1997 Borough of Darlington Local Plan, and will be used alongside the already adopted Core Strategy and national planning policies to assess all planning applications.

COMMUNITY AND STAKEHOLDER CONSULTATION

15. On 29th April 2014, Cabinet agreed Revised Preferred Options (RPO) for new housing, to meet the Borough's housing requirement up to 2026, and these formed the basis for community and stakeholder consultation.

What we did:

16. Consultations were carried out on the RPO from 23 May to 4 July. The programme of events and activities involving the public and other interested groups included:
 - (a) a Members' briefing prior to the start of consultations;
 - (b) five drop-in sessions at venues across the Borough including locations close to proposed housing sites;
 - (c) an information stall/drop-in session at the outdoor market;
 - (d) specific stakeholder events, such attending a meeting of the Haughton Residents Association.
17. Items about the consultation and the planning issues covered in it were carried in The Northern Echo, before and during the consultation period and in the June edition of Darlington Together. The consultation was also advertised in some Councillors' newsletters. The documents and comments forms were available on the Council's website, at all the events and at the libraries and Town Hall.
18. Over 2400 individual notification letters, with attached site plans, were sent to neighbours of the proposed housing sites. In addition, over 600 letters and 550 e-mails went out to statutory bodies, interested organisations /agencies and residents who previously commented on the Local Plan, to notify them about the consultation. Councillors were also notified by e-mail about the consultation, and several site notices were posted on and/or around each of the affected sites.
19. All letters, e-mails and publicity provided details of how to view the information and make comments, and included contact details to request hard copies. The documents published for consultation were the Revised Housing Site Proposals Report (MGP RPO Draft Policy MGP 16), accompanying Sustainability Appraisal (SA) and an updated Housing Technical Paper.

Who got involved and what they said:

20. Around 765 e-mail/written responses were received and over 400 people attended drop-in events (some better attended than others). The majority of responses were from local residents concerned about the impact of the potential housing close to their homes. Other responses were from local bodies and agencies, national/local pressure groups, landowners/planning consultants seeking to promote inclusion of particular sites in the Plan, and from other local authorities and Parish Councils. Various Ward and Parish Councillors attended drop-in sessions and some were involved in directly providing information to their constituents.
21. Over 80% of all responses related to two Council owned sites, Hartington Way/Bellburn Lane (RHa10) and Muscar House Farm (Rha3). Significant levels of objection were also received to the proposed allocation of Council-owned Lime Avenue (RHa15), the Eastern Urban Fringe (Hs6) and the Harrowgate Hill options (RHa1i and ii), and to a lesser extent to Council-owned Eggleston View (RHa17 - a

planning application consultation was running concurrently) and Council-owned Alexander Street (Rha7). A petition seeking the removal of land at Hammond Drive (RHa18) from the proposed allocations was also resubmitted.

22. Not unexpectedly, there has been strong local opposition to the draft allocations. Although the reasons vary in detail between sites, there are common threads around the potential impact on local traffic (including road safety), access difficulties, impact on the local amenity of adjacent properties, impact on biodiversity levels, likely flooding issues, loss of recreational open space, and loss of views, and impact on property values (although the latter two are not planning reasons) and availability of more appropriate alternatives. Some respondents have challenged the site assessment results underpinning the site selection process, and questioned if all the houses planned are really needed.
23. Some new sites have also been suggested by residents, albeit as part of a wider submission seeking de-allocation of another site.
24. Several Borough-wide issues were raised by residents, such as the lack of primary school places, impact on GP surgeries and hospitals, levels of traffic congestion and consequent difficulties travelling to the town centre. Several residents ask why the Council is not using more brownfield land instead of greenfield, bringing more empty properties back into use, and why smaller sites cannot be saved from development by adding limited numbers to the proposed allocations at the urban fringe.
25. Conversely, landowners/developers argue that we should be planning for more, and that the planned numbers in our adopted Core Strategy are out of date, and do not include enough of a buffer for under delivery. Some question the deliverability of the reduced housing numbers for the Town Centre Fringe, others are promoting alternative sites for new development. Most of these are not new proposals and are on the edge of the urban area or one of the villages. Sites proposed within the urban area are land in the River Skerne corridor to the east of Haughton Road, and land at Polam School.
26. No significant issues have been raised by statutory consultees (Government agencies, neighbouring local planning authorities), though not all e.g. NHS/CCG have responded, and further engagement will be needed with these bodies prior to finalising the local plan. Local interest groups have also engaged; the Darlington Branch of CPRE is unhappy at the use of green fields for housing, and thinks the opinions of local people should be given great weight, whilst the Friends of Stockton and Darlington Railway are concerned about retention of railway heritage if land at the Eastern Urban Fringe (Hs6) and Haughton Road/rear of Bowes Court (RHa11) is developed.
27. Northumbrian Water Limited did not raise any concerns about the cumulative effect of the housing provision proposed in the revised policy, however they stressed the need to be involved in discussions for the strategic sites (in particular Hs5 & Hs6) at an early stage i.e. to ensure the masterplanning exercise contains an overall foul and surface water strategy. The need for infrastructure upgrades will be required for some of the housing sites, to upgrade the existing infrastructure linking both to the

site but also across the immediate network which will eventually feed into the Stressholme Wastewater Treatment Works in the south of the Borough. This facility has sufficient capacity to accommodate 7000+ new homes within the town.

Process

28. Although the consultation generated a lot of interest, some negative comments were received about the process, events and material used. A few residents have escalated their engagement with us to formal complaints, mainly regarding officer reluctance/inability to respond to lists of detailed questions about particular aspects of the consultation and individual sites. Concerns raised about the consultation included:
- (a) Not enough (senior) officers at the events and not all questions were answered adequately enough.
 - (b) Other officers including engineers and the Environment Agency should have attended.
 - (c) The Limited information made it difficult for residents to know what they were being consulted on.
 - (d) Two different sets of plans at one event caused confusion.
 - (e) There was not enough detail provided and the quality of plans was poor.
 - (f) The timing of events could have been far better if between 7pm to 9pm instead of 4:30pm to 6:30pm when those at work and with childcare responsibilities would have been better able to attend.
 - (g) Wrong dates reported in the Northern Echo on two occasions, both for the drop-in at Haughton and Market Square, Darlington
 - (h) The comments form is not user-friendly and the boxes for comments far too small.
 - (i) Some people weren't aware of the consultation until late in the process.
 - (j) The quality of and access to documentation/ information on the website was criticised.

Officer Response

29. On the consultation the Council was aiming to make as many local people as possible aware of the potential housing allocations and to get their views on the principle of development on the proposed site, and to see if there was any local information that officers were not already aware of. In the majority of cases (the exception being Harrowgate Hill) no detailed schemes had been worked up and basic concept plans were used.

30. Where people felt officers did not answer questions adequately this was not the intention. Often officers were being asked some detailed questions about the potential development for which there are no answers at present, and the answers to the questions raised will only be known at the stage when a pre-application consultation is carried out, or a planning application is submitted. Where more detailed indicative layouts were displayed - at Harrowgate Hill when the promoters of the two options were present – some people found this useful whilst others felt it looked like the Council was in ‘cahoots’ with the promoters, and that development was a ‘done deal’.
31. The timing of the events is difficult to gauge and this can be looked at again for future consultations. Despite this about 400 people did attend. Where people or groups did not feel they had time to respond for specific reasons (e.g. their group did not meet to consider the proposals until late in the process), the deadline for responses was extended by a couple of weeks. Unfortunately the information put out by the Northern Echo could not be controlled, although they were given the correct dates, times and venues.
32. Whilst acknowledging the concerns raised above, the consultation exercise did reach the majority of local residents and, as set out above, we have received a large number of responses covering a range of issues and objections, and a higher level of response that was received for the comparable local plan consultation exercise last year. To that end the exercise has been a success.
33. Given the number of events and the limited staff resources, and despite trying to anticipate where the largest attendances were likely to be, at times officer capacity was stretched. Nevertheless compared with the numbers attending, the levels of complaint were relatively few.

CONSULTATION RESPONSES

34. The development of the local plan is a lengthy process during which changing circumstances and opportunities can affect sites being considered for inclusion in the Plan. For example, planning applications may come forward which need to be determined, other sites may be marketed for development, or come forward through time restricted funding bids. As such, Members will see below that on some of the sites being considered, circumstances have moved on from the in principle decision to allocate a site, towards implementation and delivery.
35. However, even though these other processes can occur, not all sites will necessarily get implemented and therefore the local plan process still needs to consider their allocation to maintain the required provision over the longer term of the plan.

Housing Numbers

36. The RPO housing policy (MGP 16) plans for 5,800 new homes to be provided (to 2026), and identified land that could accommodate 6,200 new homes, to ensure these numbers could be delivered even if all sites do not come forward as planned.

It provides the draft detailed interpretation of Core Strategy policies CS1 and CS10 as they relate to new housing development.

37. On the one hand, residents objecting to proposed new sites have asked why so much new housing is needed, citing vacancies in the existing stock, problems people are having selling homes, and the general poor state of the housing market, as evidence. On the other hand, developers and those promoting new housing sites suggest that the plan is not providing for enough new housing and that the evidence base, and therefore the plan, is unsound. For example the House Builders Federation (HBF) argue that if more up to date data is used, there would be a requirement for 533 dwellings per annum and not the 350/400 planned for in the document, whilst others have argued that there should be a 10-20% buffer on top of the actual requirement, to ensure delivery. In addition the HBF feel the Council should be planning for 20%+ more houses to be delivered in the first 5 years, rather than just 5% extra.
38. Developers also feel the plan is over optimistic about housing delivery, feasibility and viability, particularly in relation to key regeneration areas such as the Town Centre Fringe. They also argue that phasing housing development in the plan should only be for the purposes of demonstrating adequate housing supply. Otherwise it creates rigidity in the plan and conflicts with the National Planning Policy Framework (NPPF).

Officer Comments and Key Actions

39. Many of the arguments put forward by developers questioning the Council's approach to housing numbers do not take full account of the fact that the Council's housing requirement for 2011-2026 is in an adopted Core Strategy (May 2011), and as such, carries significant weight. A recent High Court judgement elsewhere (Wokingham) reasserts that even if the Core Strategy was adopted before the NPPF was published (March 2012), as the Council's was, its housing numbers can still be valid. Reflecting economic conditions, the RPO plans for under delivery of new housing in the early years of the plan period (2011 to present) to be made up over the whole of the plan period, in line with one of two accepted methods used by local planning authorities nationally. The buffer of 5% proposed by the Council is to ensure there is enough land coming forward to meet the housing requirement. A higher buffer is only required if there has been persistent under delivery of new housing against plan targets in the Borough. Taking a long term view that takes most of a whole economic cycle into account, there has only been under delivery in seven of the last 16 years.
40. The justification of the housing number was made some years ago, but included taking account of local needs arising from new household formation, that people are living longer, that more 3, 4, 4+ bed and affordable properties are needed so that people can meet their housing aspirations locally, and that new homes are needed for people moving into the Borough. It was also drawn up to dovetail with an ambition to achieve high levels of economic growth, and reflects the Council objective to boost significantly the supply of new housing within the Borough, in line with national planning policy.

41. Although acknowledging the risks to deliverability and viability on regeneration sites, the Council remains committed to this approach and will set out its position regarding areas such as the Town Centre Fringe accordingly (see para. 63 below). The issue of phasing raised by developers is also addressed later in this report (see para. 277).
42. **ACTION:** In view of the above, it is unlikely that any further changes will be made to the overall local plan housing numbers.

Housing Sites

43. Members should note that the allocation of sites is tenure blind and the precise numbers and nature of development are matters for other processes, such as development management. Sites that are private sector led are normally required to include up to 30% affordable housing, consistent with the Council's policy in the Core Strategy on this, and in further guidance set out in the Planning Obligations SPD.
44. Members should also note that all assumed housing numbers for specific sites are approximate, taking account of any site constraints and development of appropriate scale and design for the location. The number that may ultimately be built on each site may be more or less than assumed, if developers have come up with and gained planning permission for acceptable alternative solutions to addressing site constraints.
45. The schedules at www.darlington.gov.uk/mgp detail all the comments received on each of the sites proposed and the officer comments and further actions required. Note that all of the following site specific analysis and conclusions are subject to there being no insurmountable issues highlighted by the technical studies still underway. These include whole plan viability testing, a flood management solution for the Town Centre Fringe, transport impact assessment and further sustainability appraisal. All this work will be completed before Cabinet considers the Publication draft document in December.
46. Note also that the recent consultation dealt with general housing only. A further consultation on top-end executive housing is outstanding.
47. As site allocations are only to establish the principle of development and likely development capacity, officers are not in a position to allay concerns on matters of detail, as the nature and scale of these will not be clear until a detailed scheme for a planning application has been drawn up. However, it is proposed that the constraints and opportunities relating to each site will be set out in an appendix to the local plan, so that developers are clear from the outset about the matters they need to take into account in designing a scheme.
48. At this stage in local plan preparation, proposed allocations are only likely to be de-allocated if potential 'showstopper' issues are identified, or sufficient suitable and deliverable land in a more sustainable location can be identified.

Privately owned sites

49. **HARROWGATE HILL options:** The RPO put forward two options for about 370 new homes on land at Harrowgate Hill, as the sustainability considerations for each were finely balanced. These were broadly:
- (a) **RHa1i** - Land primarily south of Burtree Lane, shaded grey on the plan at **Appendix 1**; or
 - (b) **RHa1ii** - Land North of Burtree Lane, edged green on the plan in **Appendix 1**.
50. The promoters of all the land included within the options also submitted further material, and a new representation was received from the owners of land at 26 Burtree Lane (see **Appendix 1**), which directly adjoins the options, seeking the allocation of their land for new housing. Representations were also received seeking the inclusion and re-inclusion of land to the east of the A167 at Harrowgate Hill (see **Appendix 1**).
51. The drop-in event and written responses (including a 163 name petition from Harrowgate Farm Residents Association) highlighted the following common concerns:
- (a) The proposed housing will increase the traffic problems in an area that is far busier than other parts of the town. The A167, Whessoe Road and Burtree Lane and the whole of north Darlington is already heavily congested with traffic at peak times, and cannot safely take any additional traffic.
 - (b) Burtree Lane and Whessoe Road, given current nature and form and usage, cannot take extra traffic and road junctions safely without significant investment, such as traffic calming, road widening, providing pavements, street lighting, etc.
 - (c) Development of site RHa1ii would push development limits considerably further north along a key approach to the town. This would have a significant visual impact, and set a precedent to build west and north. Will the pylons be removed?
 - (d) Concerns about the loss of the existing green fields, hedgerows and habitats for animals and species. Suspect that great crested newts are present in the area, and there is a BAP (Biodiversity Action Plan) Priority Habitat within the boundary of site. The value of these areas needs to wider biodiversity networks needs to be recognised when allocating land for new development.
 - (e) Greenfield sites and parkland are already sparse in this region of town – there is only 1 small play area on Harrowgate Farm, not enough to accommodate children from up to 380 more families. Will additional parkland/play areas and recreation sites be provided within the proposed developments?
 - (f) Quality and density of proposed housing will detract from existing area and deny local residents an open view of farmland and the associated peace of a rear garden. People like to walk over the park and fields to see the horses and sheep in the lovely open green areas
 - (g) Drainage problems already present. Concerns about the possibility of flooding on both sites, and on land around the sites.

- (h) Not enough schooling in the area (junior and senior). Secondary schools in the area are already at capacity. What provision has been made to expand schools to cope?
- (i) GP surgeries are over-subscribed.
- (j) The promoters of land to the south of Burtee Lane indicated that all of the new homes proposed in Option A could be accommodated within their land, negating the need to allocate any land to the north of Burtree Lane. If land to the north was needed, they suggested this would be the best location for a new school.
- (k) The promoters of land to the north of Burtee Lane and west of the A167 provided more information about planned build out rates and confirmed their offer to provide land for a new primary school within any new allocation.

Officer Comments and Key Actions

52. **Traffic:** Whilst the findings of more detailed traffic impact assessment work for all the proposed housing sites is still awaited, highway and transport officer advice is that the stretch of Burtree Lane beyond the existing edge of development would need significant improvement, including lighting, widening to accommodate footways, etc. This is likely to adversely impact on the viability of Option A to a far greater extent than would be the case for Option B. Also, the amount of development proposed in the area is unlikely to support a new or amended bus service, and even if funding was secured for it from a developer in the short term, it could fall to the Council to sustain the service if it proved to be commercially unviable. For these reasons and against this criteria, Option B may be more preferable, having potential for better access to existing high frequency bus routes running up and down North Road, immediately to the east of the site, and having potential to be delivered with far less of the development value being absorbed by highway works.
53. **Development limits and landscape impact:** Neither of the proposals include definite plans to remove the pylons that cross land north and south of Burtree Lane. Option A would provide for a better, more contained edge to development in this area, and has the potential to be better integrated with existing neighbouring areas of housing and open space. Whilst both sites would result in the loss of greenfield land, the visual impact of the loss of Option A would be less overall. If Option B was selected, it would not set a precedent for further development in this plan period, because no further land is likely to be needed. The promoters of the site have also submitted material showing how structural and other landscaping could mitigate the visual impact, and provide an attractive aspect from the A167. The proposed development of either option would mean that a limited number of people will suffer from a poorer outlook, levels of privacy and tranquillity than they might currently enjoy. However, this needs to be balanced against the need to build more housing to help deliver economic and quality of life objectives set out in things like One Darlington: Perfectly Placed.
54. **Biodiversity:** Ensuring that biodiversity sites and links to wider networks are maintained, enhanced or new ones created can be secured through the planning process. It is proposed that an outline of the requirements be set out in more detail in the finalised local plan.

55. **Greenspace/play space:** Option A, which includes developing land to the south of Burtree Lane has the potential to bring greatest benefits to the green infrastructure network. Well designed development in this location could help solve the misuse of the existing children's play area to the north of Newquay Drive, providing funding to enhance and extend it, and introducing more surveillance and safety via frontage development. The design of the site could also incorporate and protect habitats and green corridors that are important to protected species (great crested newt) and for providing linkages for people and wildlife between the countryside and the nearby Drinkfield Local Nature Reserve.
56. **Quality of housing:** Both sites are being promoted by major house builders, whose reputations depend on delivering products that people like. Standards of new housing construction have to be met through Building Regulations, whilst the density of planned developments will need to accord with the provisions of the Council's Design of New Development SPD.
57. **Drainage:** Environment Agency information shows that there is no flood risk affecting either option, but there is some land within both options that experiences surface water drainage problems. This is not a constraint to development, as maintaining greenfield rates of surface water runoff would be conditioned through the planning process.
58. **Schools:** Officer advice is that there will be sufficient space within existing secondary schools for all the new pupils likely to be generated by new housing. Land will be made available within either option for a new single form entry primary school and 26 place nursery, and for expansion to two form entry in the future. Promoters of Option B have indicated that they would gift the land and provide a fair and reasonable contribution to the construction of the single form entry school building whereas the promoters of option A have indicated that the gift of land would be in lieu of school places financial contributions, unless the land value was less than the value of total contributions payable. The Council considers that a school could be suitably located on either site. On this consideration alone, Option B could be preferable.
59. **GPs:** The NHS have advised that no GPs in the town have closed their waiting lists, so there is no evidence that they are over-subscribed. Many GP surgeries are working to manage the demands on them, e.g. by introducing telephone consultations or making more use of nursing staff.
60. **Land south of Burtree Lane:** An assessment of the option of meeting all the development needs solely within this site is being carried out. There is no evidence yet of how the density of development required could be delivered without compromising all the planning requirements for the site.
61. **Land north of Burtree Lane/west of A167:** The information provided by the promoters is useful and will be used to review the assessment of this option.

62. **Other land:** All other proposals for housing allocations submitted in this area will need to be (re)assessed, to see if they present more sustainable and deliverable options. Updated information regarding land to the east of the A167 opposite the White Horse Pub (site Ha16 for 20 dwellings at Preferred Options stage) indicates that the owners now consider that the site is deliverable, even if land to the rear is not allocated. It is likely that this will affect the final conclusion about this site.
63. **ACTION:** Before a conclusion can be reached, officers need to complete a review of the site assessments for each option and receive the results of technical studies outstanding. These assessments include consideration the matters discussed above, as well as others, such as deliverability.
64. **TOWN CENTRE FRINGE (TCF) (Hs4):** An objector considers that there is no justification for allocating 300 dwellings within the TCF area within the Plan period, as there is no reasonable prospect of its delivery. As such, it cannot be relied upon and other sites should be allocated.

Officer Comments and key Actions

65. Officers are still awaiting completion of work to understand whether the proposed local plan policies are viable. Notwithstanding that, since the Preferred Options, a more focussed, suitable area in the northern part of the TCF (see plan at **Appendix 2**) within which there is a realistic prospect of housing led regeneration of about 300 new homes from 2020 has been identified. This is subject to delivery of a flood management scheme, for which external funding is being sought and removal of the gas holder, which the owners have indicated they could remove within 2 years of receiving appropriate notification from the Council. The larger land ownerships in the area (including Council owned Chesnut Street car park) are an opportunity to bring forward land for development more quickly than could be achieved in other parts of the Town Centre Fringe.
66. **ACTION:** Continue work to amass robust and credible evidence on the viability and deliverability of TCF proposals.

EASTERN GROWTH ZONE

67. **Lingfield Point (Hs1a and 1b):** Lingfield Investments Limited indicated that the amount of new housing here may be about 250 less than the 1200 with outline planning permission, as a lower density development is likely. They feel that progress on regenerating their site will be delayed if development at the Eastern Urban Fringe (EUF) is brought forward earlier, particularly if a similar market product to that underway on Phase 1 is proposed. They request that the build out at EUF is managed and brought forward from the north, to minimise this impact.

Officer Comments and Key Actions

68. The Core Strategy does plan for Lingfield Point regeneration to be well established before the Eastern Urban Fringe comes forward, but delivery has not been as soon as and slower than originally envisaged. The Council will continue to do all it can to

continue to support the Lingfield Point regeneration because it is strategically important to the Borough. However, to maintain the required level of house building to meet national planning policy requirements and ensure the plan successfully passes the public examination stage in due course, other sites need to be identified or planned to come forward earlier; the proposed allocation of EUF is part of this.

69. **ACTION:** To re-consider the overall housing numbers for this site and housing delivery timescales to reflect the submission made.
70. **Eastern Urban Fringe (Hs6):** The drop-in event and written responses highlighted the following common concerns:
- (a) **Flooding:** Land along the western and south-western aspects of the proposed site, near the River Skerne, floods every year and this development will increase the flood risk to properties adjacent to the river.
 - (b) The proposed development is mostly within Environment Agency Flood Zones 2 & 3. Some have objected to any building, landscaping, provision of playing pitches or any works in the flood zone.
 - (c) Concerns over impact of surface water generated by new housing, and where it would runoff to in the event of a storm.
 - (d) Any Flood Risk Assessment should be 'Strategic' to include impact of development on existing homes that are already vulnerable in the region of Winchester Way and other roads to the west of the River Skerne. Properties in Winchester Way and Ely Close have been very close to rising flood water in previous years and may be seriously endangered should there be any increase in ground levels in the new development area.
 - (e) **Landscape and loss of agricultural land:** It will have a significant adverse effect on the landscape affecting long range views and attractive undulating open countryside. This land is also used for farming purposes, cattle and crop growing etc. It would be more sustainably advantageous to continue with this.
 - (f) **Highways:** The existing road system is inadequate to accommodate such a proposed large increase in traffic movements.
 - (g) **Heritage:** The line of the 1825 Stockton & Darlington Railway trackbed, from the east of Red Hall to the Bypass, should be protected from incursions across it, and be left undisturbed as a cycle route. The development proposed could adversely affect a bid for World Heritage status, and reduce income through tourism. NPPF paras 131, 132, 133, 134, 135 identify how a LPA should assess the impacts of a proposed development on heritage assets.
 - (h) **Community facilities:** There is a lack of local shops and inadequate schools and medical/dental facilities.

- (i) **Phasing:** The site promoters (Bellway and Story Homes) want the plan to be more flexible on the timing of delivery, and query how the proposed allocation was arrived at, given that the site could accommodate up to 1250 new homes. They suggest that up to 100 dwellings per annum could be built out, and that this could deliver about 900 new homes within the plan period.

Officer Comments and Key Actions

71. **Flooding:** No built development will take place in high risk flood zone 3 - it will remain open to accommodate water, should the River Skerne flood. The developers are proposing playing fields within medium risk flood zone 2, and this is identified in national planning policy as a 'water compatible use', and as such would be appropriate, as long as the site's Flood Risk Assessment (to be submitted as part of the planning application for the site) shows that there will be no increase in flood risk elsewhere. The Council understands that the Environment Agency and Northumbrian Water are talking with the developers to ensure that the best possible flood management solution can be agreed for the site so that the flood risk (river and surface water) is not increased to existing properties and residents.
72. **Landscape and loss of agricultural land:** Any new housing will be set back from the course of the River Skerne and its floodplain. The promoters of this site have undertaken consultations on their initial ideas for mitigating the landscape impact, and an overall green infrastructure framework plan will be required before any planning application could be considered. Regarding land quality, the land is Grade 3 agricultural land but the Council's information does not identify if it is 3a, which is best and most versatile.
73. **Highways:** Initial transport assessment work indicates that with some improvements to the network, the levels of traffic that will be generated by the development can be accommodated.
74. **Heritage:** The issues raised regarding this are still being investigated.
75. **Community facilities:** The provision of school places to meet the needs of new planned development has also been a key issue in this area. The primary education needs arising from the development of Phase 1 at Lingfield Point will be met through an expansion of Heathfield School, whilst the needs arising from new house building at the Eastern Urban Fringe will initially be met through an expansion of Red Hall Primary School. In the longer term, if a business case can be made, a larger Red Hall Primary School could be provided within the new development at Eastern Urban Fringe.
76. **Phasing:** The promoters of the EUF are at an advanced stage of pre-application discussions with the Council and a planning application is expected to be submitted in early autumn. The Council will need evidence of the ability of the builders to deliver new housing at the higher rates that they suggest, but if this is the case, then the planned numbers for the EUF within the plan period could be increased, though the levels cited in the consultation response seem optimistic.

77. **ACTION:** A master plan of the EUF area would be a precursor to any development proposal and the issues raised by objectors would be important considerations informing that plan. Detailed discussions are also taking place with the developers of the EUF to ensure that this location will provide enough housing of the right type and tenure to meet local needs at the right time, with sufficient supporting infrastructure to meet the long term needs of the development. This will also be informed by various assessments the developers have commissioned e.g. Flood Risk Assessment, Transport Assessment and Statement of Significance for Heritage. Together this information will be used to inform the Section 106 legal agreement for the development which will accompany a planning application.
78. Officers are also currently considering the case for indicating that more housing could be brought forward in the plan period.
79. **Land east of Haughton Road, north of River Skerne (site 2 on the plan at Appendix 3):** This new site was submitted in response to the consultation.

Officer Comments and Key Actions

80. Site assessment work will be undertaken to establish how much, if any new houses could be accommodated here. Parts of the site are affected by flood risk and it is within a conservation area and the setting of a listed building. The contribution of the site to maintaining openness between the river, Haughton Village and Red Hall will also need to be considered. As this site has not come forward previously, there are no public comments on it yet.

NORTH WEST GROWTH ZONE

81. **West Park (Hs3):** Bussey and Armstrong have indicated that there is likely to be about 150 fewer completions than previously anticipated at West Park, due to changes to (larger) house types and use of part of the land for an extension to the local centre, possibly including a new food supermarket. The Environment Agency highlighted the environmental constraints. No comments from residents were received.
82. **North West Urban Fringe (Hs5):** The main developer has indicated that new homes could be built from 2016/17, delivering 650 within the plan period, out of a potential total of 1200 for the whole area. It is also possible that housing could also come forward on the Council owned (Stag House Farm) in this period. Two other responses were received. One supported the allocation, the other suggested that the delivery rates proposed on this site are unrealistic.

Officer Comments and Key Actions

83. As the Council owns part of this site, it has been working closely with the main developer, and has seen no reasons why the delivery rates are unrealistic. Signalling early intent to deliver the North West Urban Fringe, initial consultations on a draft master plan for West Park Garden Village were carried out by the Council

and Bussey & Armstrong at the end of August. An outline planning application is expected before the end of the year.

84. **ACTION:** The issues raised will inform the final policy for this site, which will dovetail with the latest information being gathered to progress the master plan and underpin a planning application. Provided that the issues raised by the public and that emerge through the completion of further technical work do not raise insurmountable issues, there is enough momentum to indicate that the higher rates of delivery suggested could be realistically achieved, to deliver about 700 new homes by 2026.
85. **South of Bowes Court/ Haughton Rd (RH11):** Friends of Stockton & Darlington Railway are concerned about the potential impact of development on the nationally important the Grade II listed engine shed and Stockton & Darlington trackbed within the site.

Officer Comments and Key Actions

86. ISOS/Railway Housing Association has secured funding to deliver 53 units on this site by 2017. While no detailed scheme has been drawn up yet, it is understood that this would include the conversion of the listed engine shed on the site and retention of the former route of the D&S railway trackbed as a green walkway. A statement of heritage significance would be required as part of any planning application.
87. **ACTION:** The need to retain the listed engine shed and the former S&D railway trackbed can be included in a planning requirements statement for the site, to be included in an Appendix to the local plan. There is no need to change the draft policy wording.
88. **Land at Haughton Road (RH20):** issues raised regarding this site included concerns that:
- (a) Access would be via Gobart Court, which is unsuitable.
 - (b) There may be great crested newts on the site.
 - (c) Don't want more affordable housing in the area- the area is already overdeveloped with industry and housing.
 - (d) A flats development could cause overlooking.
 - (e) There would be unacceptable noise whilst development takes place.

Officer Comments and Key Actions

89. **Highways:** Access to the site would be off Haughton Road.

90. **Biodiversity:** The Council would consult with Natural England and if necessary, a newt survey will be required and any development will need to accommodate their protection.
91. **Amount/type of development:** The Council needs to ensure as much brownfield land comes forward for development as possible and that it is used as efficiently as possible, so that as little greenfield land as possible is needed. The allocation of land for housing does not specify that it is for affordable or private housing.
92. **Amenity:** The development management process would ensure that there would not be unacceptable overlooking arising from any development of this site.
93. **Noise:** Conditions controlling noise during the construction phase can be conditioned when a planning permission is granted.
94. **ACTION:** Subject to the biodiversity issues being resolved this site is likely to be allocated for housing.

Polam Hall School (site A on the Plan at Appendix 3)

95. Polam School is seeking allocation of this new site, to enable it to reinvestment money from its sale into school facilities to safeguard its long term future as a free school. Their professional heritage advisor has concluded that this part of the West End Conservation Area is capable of sustaining some change as it doesn't form part of the original school estate and is of a later landscape generally.

Officer Comments and Key Actions

96. This site was considered and rejected as a draft housing allocation, primarily because of its potential impact on the West End conservation area, but also for its incursion into part of a playing field. Notwithstanding the above, the Council recognises that the school will make a valuable contribution to the overall provision of school places in the Borough.
97. **ACTION:** Officers will continue to explore the issues relating to this site, to see if any part of the site could accommodate new housing and if a land sale is essential to the long term sustainability of the school.

Council Owned Sites

98. **Hartington Way / Bellburn Lane (RH10):** This site generated the most consultation responses and some formal complaints; the latter have been responded to under Stage One of the Council's complaints procedure. The site was consulted on last year based on a capacity of about 32 dwellings, compared to 50 dwellings this time. There was strong opposition to the latest proposed allocation.

99. The drop-in event and written responses highlighted the following common concerns:

- (a) **Highway/access issues:** Both Bellburn Lane and Hartington Way are not suitable for the increased traffic that would arise, as they are already usually congested. Bellburn Lane isn't wide enough and is breaking up everywhere.

The increased traffic flow will put a strain on local road networks. It is already difficult getting onto Brinkburn Road during peak times so another 50 cars (based on one per household) would escalate the problem.

An access from Bellburn Lane to Hartington Way will be used as a 'rat run' by motorists wishing to access and exit West Auckland Road via Brinkburn Avenue or onto/around North Road, so unacceptably increasing traffic flow. The 2 exits mentioned are already at full capacity.

How will the Council control additional parked cars which would further reduce/obstruct the carriageway on the narrow estate road?
How will the Council deal with the poor visibility on Hartington Way and Bellburn Lane? The junction of Ivywood Court and Bellburn Lane in particular?

Construction and additional resident traffic would damage the road and harm residential amenity.

The Air Ambulance has landed on the site in the past. Where would it land in the future?

- (b) **Access to community facilities:** The Council admits the site is not within the accepted range of a bus stop (300m), and local services such as doctors, schools (both primary and secondary), dentists etc. are full, therefore more car journeys will be needed than may otherwise be envisaged, as people cannot realistically use public transport for work, the school run, etc., and need to travel further afield.
- (c) **Capacity of community facilities:** It will be put additional strain on the local schools, some of which are already at capacity. The same will apply to GP surgeries and dentists, and general service provision, i.e. waste collection and street cleaning.
- (d) **Pollution:** Additional traffic during construction and on occupancy will add to noise pollution. There will also be a negative impact on light pollution, affecting people and wildlife, and the land may be contaminated.
- (e) **Greenspace:** It should remain green. It is a central green space and 'green lung' treasured by local residents and much used for a variety of purposes. It is a safe environment away from traffic where children can play, and is used as a general meeting place to sit and chat, and for dog walking – it is effectively an outdoor community centre. Also deeds on 'Hilly' say it can't be built on. If it is developed, it will significantly and detrimentally affect the quality of life of people living in the area. Loss of recreational space will adversely affect the

health of those who use it, especially children who will have nowhere else to play. There is also a designated cycle path across the site and footpaths, used for access and exercise, helping them to stay healthy. Removing open spaces where people play and exercise would be counter to Government encouragement to get our children to be more active, as part of addressing a national obesity problem. There is nowhere else close by children could go to play or walk dogs. It is a lovely open area of parkland which is in keeping with the local nature reserve and overall environment of the area.

How has Section 74 of the NPPF, which says that existing open space, sports and recreational buildings and land, including playing fields, should not be built on except in specific circumstances, been considered in proposing this allocation?

- (f) **Type of housing/occupancy:** Many respondents were concerned that any social housing would devalue existing housing, affect the visual image of the area, and potentially result in disturbance from troublesome residents. Conversely, another response was that DBC Planning should be working with all developers to provide a mix of private and social housing on all new development sites not just as a block in one or two locations.
- (g) **Site capacity:** To up the houses to 50 is a disgrace.
- (h) **Amenity/land value:** The visual image of the estate and nearby nature reserve would be reduced, and there would be a negative impact on the area's peace and tranquillity, a loss of open outlook and aspect, and property values would fall. Any development would need to be designed to avoid overlooking existing properties. How would the ongoing maintenance of the proposed estate be paid for?
- (i) **Biodiversity:** The site is opposite a local nature reserve which has a pond with water birds. This would disrupt the animals within the nature reserve. The proposed site also supports a huge amount of wildlife such as bees, butterflies, birds, ducks, newts and bats, foxes, rabbits plus many mature plants and trees, which would be lost if it was developed. An ecological survey is needed to establish the number and types of wildlife that live there, and must be taken into account within the decision making process. Also, has an Environmental Impact Assessment (EIA) been undertaken?
- (j) **Grass cutting:** The Council stopped cutting all the grass some years ago to enable some of the land to develop into a 'wildlife meadow'. Why has this changed?
- (k) **Flooding/Drainage:** Problems already exist on the field; more houses could mean gardens are flooded each time there's a downpour. Properties in Honeywood Gardens have been subject to flooding in the past, caused by run off from the field, causing considerable damage to a number of properties. Allowing this site to be built on would only increase the risk of flooding to these properties from additional hard surfaces. The existing drainage systems on Bellburn Lane and Oakfield Lodge estate will not be able to cope with the

additional demand from any new homes feeding into the existing drainage systems. What is the Council going to do to ensure the residents of these two estates are adequately protected from flooding?

- (l) **Site choice/alternatives:** Why has this particular area of land been included in the overall plan, as it has been used for open space for many generations? What about building on open space north of Auckland Oval instead? What about land that already has planning permission? Why are these not proceeding? Are builders sitting on land banks? Darlington has large areas of brownfield land that could be built on; the Council should be working with developers to develop these, rather than green open spaces. Also, no account seems to have been taken of all the empty buildings that are available.
- (m) **Other:** Additional houses would create additional risk of crime. Distressed to hear that PCSOs have not been consulted. The Council is only concerned about the additional income it will receive from new house building, and not the interests of local people. How will the additional costs of street cleaning, etc. be met by the Council?

Officer Comments and Key Actions

100. Highway/access issues:

- (a) The extra traffic generated by new housing is likely to increase the peak hour flows by around 30-35 two way trips in the AM and PM peak respectively. Assuming a new highway link between Bellburn Lane and Hartington Way, and a 50/50 split in traffic exiting the new development onto the existing estate roads, this would result in about 15-18 additional peak hour vehicles each on Bellburn Lane and Hartington Way and the junctions onto Brinkburn Road. This can be accommodated without a serious detrimental impact to the existing highway network.
- (b) Both Hartington Way and Bellburn Lane are 5m wide or wider, more than the minimum acceptable width of 4.8m.
- (c) Any new junctions will have suitable visibility and stopping sight distance appropriate to the classification and speed limit of the local highway network.
- (d) A through road would disperse the additional traffic onto two existing estate roads and increase accessibility throughout the estate, giving local roads users another choice. This would potentially relieve pressure on other parts of the network, and retain access if one was closed temporarily for any reason. It is not felt that any link road would be a strategic rat-run as it would not be attractive to road users outside of the immediate estate roads.
- (e) If cars are obstructing traffic, then traffic regulation orders can be used to control the parking if it is required. It is not currently anticipated that Double Yellow lines would be required but the parking situation could be reviewed by the Highway Authority, should the need arise in the future.

- (f) The visibility at Ivywood Court and Bellburn Lane junction is not ideal; but a new access to the land would be to the south of this junction, and not exacerbate the problem.
- (g) Any damage by construction traffic would need to be repaired by the contractor. The minor increase in traffic that would arise is unlikely to speed up the deterioration of the existing highway infrastructure to a significant degree.
- (h) As the need for an air ambulance is likely to be an exceptional event, we do not base our housing site assessment criteria on accessibility for it. As the proposal is for half the site to remain as open space, there may still be enough for it to land on.
101. **Access to and capacity of community facilities:** It is the Council's responsibility to provide school places for all children in the borough, so if local schools are full, other options, such as temporary classrooms or home to school transport to schools that do have capacity will be considered
102. Residents in Darlington tend to access GP surgeries across the town rather than rely on their nearest facility. None of the GPs have closed their lists, which would be an indicator that they are at capacity.
103. **Site choice/alternatives:** The existing local plan establishes that development is acceptable for much of this site, as it was allocated for a new school. Housing was therefore considered to be potentially a suitable alternative form of development on the site. The site was found to be suitable and deliverable in a detailed site assessment process outlined in documents published on-line. The Council has to identify a range and choice of sites, so cannot only identify a few large sites. The suggested land north of Auckland Oval is within the buffer of the strategic Skerne-Faverdale green corridor, identified in sub-regional and local green infrastructure strategies, and as such would not be appropriate for housing development. Many brownfield sites, whilst more sustainable and suitable have had to be discounted because they are not viable enough to be deliverable, even taking into account any loans and grants promoted by the Government. Empty homes do form part of the answer to meeting housing need, but up to about 3% need to be vacant at any one time to allow people to move house. Sites with planning permission are also anticipated to provide about 42% of all the new housing needed by 2026. There is no particular evidence that builders are sitting on land banks, the main reason they have not been building is because there have not been enough homebuyers.
104. **Type of housing/occupancy:** The allocation of land for housing does not specify that it is for affordable or private housing, or offer any control over who may occupy them. Any private housing scheme on a site of this size is required to incorporate up to 30% of new housing as 'affordable homes' on sites of this size.
105. **Site capacity:** The higher number now proposed was to reflect the possibility of a denser form of development than some surrounding properties. The site is considered suitable for a variety of house types, but consideration is being given to reducing the dwelling estimate, to reflect the likelihood of a private housing led scheme.

106. **Amenity/land value:** There is no right to a view protected in planning legislation, but there is a duty to protect residential amenity. Any housing scheme would need to comply with existing local plan policies and the Council's Design SPD to safeguard residential amenity things like overlooking. The site is already allocated for a new school so land searches should have highlighted the future likely loss of view. Loss of value arising from neighbouring development is not a planning matter. Maintenance of open spaces within the new development will be carried out by the Council with funding from Council tax, and a levy on the owners or tenants of any new homes, to ensure a high standard of grounds maintenance.
107. **Biodiversity:** Most of the site has no nature reserve or protected open space
108. Designation, and about half of the site (1.7ha) is proposed to be retained as open space, to retain a wildlife corridor and a buffer between the development and the Brinkburn Nature Reserve to help protect its function. Environment Agency data suggests Great Crested Newts within the vicinity of the site. These can be protected with a well designed and enhanced wildlife corridor. Other wildlife could also benefit, as this would provide potential commuting and foraging routes for bats and nesting, shelter and foraging for birds. A lighting strategy would be adopted as part of any planning permission to ensure habitat areas receive no increase in artificial light, and an Ecological Assessment and Bat Survey would be required with any planning application to identify any mitigation required to safeguard biodiversity. The retention and protection of mature trees is strongly encouraged. An Environmental Impact Assessment is not a requirement for the scale of development proposed.
109. **Grass cutting:** The area was returned to a frequent cutting regime for 2014 to de-risk the site from potential impacts, for example on the Great Crested Newt zone, prior to any site development preparations.
110. **Flooding/drainage:** The Darlington Strategic Flood Risk Assessment shows that some of the land to the south west of the site has a low susceptibility to surface water flooding. However, the Environment Agency has raised no objection to this site in terms of flood risk in its response. In respect of surface water drainage, Northumbrian Water would need to approve the drainage infrastructure for any scheme. It would be a requirement that runoff and drainage is at least at the level it was when the site was greenfield.
111. **Pollution:** Conditions would be attached to any grant of planning permission to limit disturbance to residents during the construction phase. Contamination would be investigated and appropriate mitigation measures identified prior to a planning application being submitted.
112. **Greenspace:** All the land is informal open space, but it is not a playing field, nor a designated village green, and only the section north of the path is currently protected open land. The southern part of the site is still allocated for a school development. The Council is not aware of any deeds indicating that the 'hilly' cannot be built on. The revised proposed allocation would retain 1.7 ha, or about 50% as informal recreational space, and this could include a childrens play area.

Connectivity between this space and adjacent green spaces will also be retained and upgraded to safeguard important links for people and a wildlife corridor. Together with the adjacent Brinkburn Nature Reserve and other open spaces in the area, it is considered sufficient to accommodate local residents' recreational needs as well as continuing to provide for a range of wildlife habitats.

113. The NPPF does set out policy protecting green spaces but it also sets out policy to significantly boost the supply of new housing. It is for the local plan to set out where the balance between these and other planning policy considerations should be at a local level. In this case, proposing part of the site for housing, retaining the remainder for open space and improving its quality was felt to be an appropriate balance.
114. **Other:** There is no direct link between more housing and crime. Good design can help to reduce opportunities for crime and this is promoted in the Design of New Development SPD. PCSO's are not a statutory consultee in the planning process. The Council does receive New Homes Bonus and Council tax receipts once new homes are occupied, which helps the Council to balance its budget and provide the services all people in the Borough need.
115. **ACTION:** The volume of responses and range of matters raised means that consideration of comments on this site, and an appropriate response is ongoing. The schedule of comments published on-line alongside this document given an indication of the progress that has been made in following up and responding to many of the issues raised so far. As it stands, none of the issues raised are considered to be showstoppers, but will be helpful in informing a planning requirements statement for any allocation, which would be included as an appendix to the local plan. Consideration is being given to reducing the dwelling estimate for the site, and to excluding the area which would be retained for open space from any housing site allocation.
116. **Muscar House Farm (RH3):** There has been significant local public opposition to this proposed allocation. The drop-in event and written responses highlighted the following common concerns:
- (a) **Amenity/quality of life:** Adverse effect on the residential amenity of the neighbourhood - overlooking, loss of privacy, noise and disturbance to properties currently adjoining the site on Barmpton Lane and opposite proposed access point. Residents moved to this area to specifically enjoy the beautiful views and open fields. Development would ruin a beautiful aspect and essential gateway to the surrounding countryside for residents/walkers. The proposal risks blighting the town and detract from its values, and there will be a massive detrimental effect on the intrinsic character and beauty of the countryside.
 - (b) **Site history:** Site has been considered and rejected twice for development in the past. Judicial Review (2006) stated that the site at Elm Tree Farm should be developed before Muscar House Farm. What has changed? Don't the original reasons still hold true?

- (c) **Capacity of local services:** It will result in unsustainable pressure (contrary to NPPF) on education and schools (primary school is already full), medical centre/health centre (nearest GP surgery is already full).
- (d) **Highways:** Unsustainable pressure on road networks (potentially another 200 cars using Barmpton Lane contributing to the already congested Whinfield Road and adding extra pressure to the traffic lights on Whinbush Way, in addition to any impact of the development at Great Burdon). Will result in dramatically increased traffic congestion and pollution, and existing poor road safety will be made worse – there have been a number of serious traffic accidents at and near the northern end of Barmpton Lane, the roads are used daily by heavy farm machinery and the lane has already started to become a rat-run for people going to ASDA who want to avoid the traffic lights and congestion on Whinfield Road, particularly at rush hours. Barmpton Lane is poorly maintained and can barely cope with current levels of traffic.
- (e) **Flooding:** Significant risk - building on this site could seriously affect new and existing residents near the site. There have been no flood problems to date mainly because the land in the flood zone is either agricultural or countryside open space. Has the Environment Agency been informed and has a flood risk report been produced?
- (f) **Recreation/access:** Loss of public right of way (PROW) – it is an important resource for people who use it to keep healthy.
- (g) **Biodiversity/informal recreation:** Building would destroy the natural habitat of wildlife in the area and spoil the riverside walk which is enjoyed by so many people who live there.
- (h) **Landscape/ecological impact:** Urban sprawl will undermine Green Belt characteristics and have a significant impact on ecology, landscape and associated designations bringing irreparable harm to protected wildlife and habitats (water voles, bats and badgers). If this goes ahead, how will the Council stop it going any further?
- (i) **Allotments:** Proposed policy includes an area for additional allotments between existing housing and proposed site. Now understand this has been amended to disregard allotments due to complaints/lack of interest by existing residents. The Barmpton Lane Allotments Association has indicated that they would only be willing to manage a site that is an extension to their current site (close to the western boundary).
- (j) **Community facilities:** The schools in the area are already full, with 30 children to a class so more housing would only escalate this problem. The doctors and dentist surgeries have the same problem. The Council's own assessment reiterates this. Stating that there is poor access to services and facilities on foot, and that the site is less favourable in terms of GP accessibility. The Community Infrastructure score is just 1.5 which is extremely poor according to the Council's own scoring system.

- (k) **Access to public transport:** The site is far from any public transport pick up points. Providers of public transportation and services are refusing to take on new routes.
- (l) **Land quality:** Loss of valuable agricultural land. The Council's own SHLAA (and previous versions) indicates that the site is unsuitable for building, being prime agricultural land, and that DBC's recommendation was not to build on the site 'at any point' in the future, due to its greenbelt credentials and the wildlife haven this site offers.
- (m) **Greenspace:** Council can't maintain the green spaces in local area, any new development will only serve to increase the burden on maintenance leading to area becoming an eyesore.

Officer Comments and Key Actions

- 117. **Amenity/quality of life:** The concerns of local residents on this matter are understood, but these need to be considered against the overall need for new housing, which needs to go somewhere. Amenity considerations, such as privacy, overlooking can be kept to acceptable levels through guidance in the Council's adopted Design SPD and the development management process.
- 118. **Site history:** While the outcome of the Judicial review in the early 2000s was that Muscar House Farm was not allocated, this did not mean that the site could never be considered again for development. The national planning policy context has changed considerably since then, and the Council must ensure that there are a sufficient range of housing sites identified that are deliverable and developable, particularly in the first 5 years of the plan period. This site has been included following a robust site assessment process of many sites, using information collected from a variety of sources. Its proposed allocation also reflects a Council resolution to dispose of this land, agreed by Cabinet in February 2014, when it was stated that it was intended that this land would be brought forward for development when necessary to ensure a five year supply of housing land.
- 119. **Capacity of local services:** The school places team has confirmed that Whinfield Primary has sufficient capacity to accommodate the pupils that the development is expected to generate. The NHS have advised that no GPs in the town have closed their waiting lists, so there is no evidence that they are over-subscribed. Many GP surgeries are working to manage the demands on them, e.g. by introducing telephone consultations or making more use of nursing staff. The need for new housing is now felt to outweigh any agricultural land quality considerations.
- 120. **Highways:** An assessment of the cumulative impact of this site on the local highway network is still underway, and highway officers are investigating what changes would be needed to the immediate road network to ensure road safety and acceptable traffic flow. Only 1 accident per year has been reported in the last 3 years and only one of those was severe.

121. **Flooding:** Only a narrow strip of land alongside the River Skerne is at flood risk; this will not be built on, and will become part of the open space network. Maintaining greenfield rates of surface water runoff would be conditioned through the planning process.
122. **Recreation/biodiversity/access:** The intention would be to maintain the PROW along its existing route next to the river and the permissive path between Barmpton Lane and the river, and planning requirements could be set out to require enhancement of the path and its surroundings. Planning requirements would also set out what is needed to safeguard and enhance existing biodiversity, particularly the riverine area alongside the Skerne.
123. **Landscape/sprawl:** Planning requirements can ensure that any proposed development includes structural and other landscaping to minimise its impact on the landscape, and that existing features, such as hedges are retained. Because it is not yet known what the needs of successive future generations might be, it is not possible for the Council to say that any part of the Borough will not be built on in the future.
124. **Greenspace:** New greenspace will be managed through a levy scheme similar to Central Park or through a commuted sum for future maintenance.
125. **ACTION:** Officers are still assessing the wider infrastructure issues of the area to ensure that the existing and proposed infrastructure, particularly for transport and community facilities has the capacity to accommodate the level of new development proposed overall. The results of this, along with information provided by the stakeholders and the responses made by the residents will inform whether the site continues to be part of the housing sites portfolio. Additionally officers will continue to work with Barmpton Lane Allotments Association to progress and extension to their site to help address an identified need for local food production in this part of the Borough.
126. **Lime Avenue (RHa22):** There has been significant local public opposition to this proposed allocation. The drop-in event and written responses highlighted the following common concerns:
127. **Greenspace/recreation/childrens play:** Recent building on other green land in the area has left a shortage of recreation grounds, making this one more important. It would be a loss of valuable greenspace, that is well overlooked and safe, and can be accessed directly from some rear gardens. It is the main play area for children. The wider area is used for play, picnics, dog walking, watching nature. To reach the nearest alternative park, local children need to cross two busy roads, and would be out of sight. How does this allocation accord with Policy CS17? What are the exceptional circumstances, and how has it been demonstrated that the site no longer has any value to the community in terms of access or usage?
128. **Amenity:** It would unacceptably harm the amenities enjoyed by local residents, such as privacy, safe and available on-road parking, and a quiet and safe residential environment

129. **Site choice:** The Council should look harder at brownfield sites before considering this. The site will provide relatively few dwellings, but will create traffic, drainage and other service issues
130. **Footpath:** Links to public rights of way network may be lost.
131. **Biodiversity:** will be damaged. Often have red deer, foxes, newts and toads, hedgerows provide bird nesting sites, there is an amazing array of butterflies breeding in the long vegetation at edge of park.
132. **Drainage:** The site is often waterlogged in winter. The NWL pumping station is not coping and running at overcapacity with recent new development on Glebe Road, resulting in intermittent overflow into the beck to the north and the need for noisy, heavy vehicles to visit the site for hours at a time to pump out the sewage overflow.
133. **Access:** Entrance to site is quite restricted. Little or no room for widening being between two properties and having private garages in the entrance
134. **Traffic/congestion:** Likely to increase in traffic problems on already overcrowded streets, especially increasing congestion at two already busy junctions, Mayfair Road/North Road, and Glebe Road/Salters Lane. Removal of bus service and on-street parking on Mayfair Road only adds to this.
135. **Schools:** Severe shortage of primary school places.

Officers Comments and Key Actions

136. **Greenspace:** Only 0.39ha of the open space is proposed for housing. Most will remain open. The site is an average quality greenspace, according to the Council's survey information. Through the planning process, any development would be required to make a financial contribution to improve the remaining open space or a nearby open space to improve its quality and functionality. So whilst allocating this site would reduce the amount of open space, it would enable a greater range of activities to be enjoyed by more local people. The remaining 1.67ha together with the open space at Glebe Road and Salters Lane Community Garden is considered sufficient and appropriately located to meet the needs of the existing residents that live in that neighbourhood.
137. **Amenity:** It can be ensured that the levels of amenity and car parking provision are acceptable through the development management process.
138. **Site choice:** The Council supports the development of brownfield sites wherever it can, but in the current economic circumstances, the costs of bringing forward these sites mean that many are currently unviable and won't come forward in the plan period. National policy also requires that there is a range and choice of sites available, so not all the provision can be put onto a few large sites.
139. **Footpath:** There is no Public Right of Way across the site, but links to PROWs beyond the site are capable of being retained.

140. **Biodiversity:** Residents observations are noted. The Environment Agency's records also indicate that there may be Great Crested Newts and water voles in the vicinity of the site. An Ecological Assessment would need to be submitted as part of a planning application to inform any mitigation required to ensure habitat and migration routes are not affected.
141. **Drainage:** We are in discussions with Northumbrian Water to determine what their requirements are. This includes establishing that any existing problems will be sorted and that the facility is able to cope with the additional dwellings proposed
142. **Access/traffic/congestion:** Highway officers are satisfied that development of the site will not compromise road safety and that a satisfactory access can be achieved.
143. **Schools:** There is sufficient capacity on existing secondary school sites to meet the needs projected to arise before 2026, albeit that this may not always be at the nearest school to where a child lives. The addition of 14 dwellings would only generate demand for two school places.
144. **ACTION:** Subject to completion of ongoing technical work not identifying any showstopper issues, it is likely that this land will still be needed for housing.
145. **Former Springfield School area (RH4):** The drop-in event and written responses highlighted the following common concerns:
- (a) **Children's play:** Appreciate need for additional housing but feel the Springfield area plan should at least include a children's play park (with an area for ball games), as children currently use part of the proposed site to play. The nearest other park would be Springfield Park which is some distance away and across the busy Whinfield Road. One respondent suggests this should be the land directly behind the houses in Bamburgh Place and Alwick Place, another that a new play area was promised years ago when the school was demolished and new housing built.
 - (b) **Amenity:** Concerns about lack of privacy, house being overlooked, loss of quality of life in quiet area.
 - (c) **Access:** Some opposition to access via Bamburgh Place, Alwick Place or Kielder Drive, both during construction and longer term.
 - (d) **Traffic:** Will increase traffic on Salters Lane South. Already too much traffic and parking, between junction with Kielder Drive and brow north of Nightingale Avenue. How will emergency services attend?
 - (e) **Land:** Told years ago while enquiring about purchasing some additional land that the land had a natural spring in the grounds and for that reason it wouldn't be suitable for housing.

- (f) **Biodiversity:** Loss of trees and impact on BAP (Biodiversity Action Plan) Priority Habitat within the boundary of site.
- (g) **Flooding:** Will become an issue as Bamburgh Place is the lowest part of this area and insufficient water drainage will result in damage to existing properties.
- (h) **Other:** Darlington is a lovely green town and by building on green areas it will become a less desirable place to live. Concerns about possible influx of problem families.

Officer Comments and Key Actions

- 146. **Children's play:** The draft allocation included retaining 0.59ha of open space which would include a children's play area. The location of the play area will be considered when layouts are provided at the pre-application consultation stage when residents will get the opportunity to have their say on detail. The land behind Bamburgh Close is not well overlooked, so may not be the best location for children's play, and there have been reports of anti-social behaviour on it.
- 147. **Amenity:** All new development must be designed to protect the amenity of existing properties, and afford occupants of new dwellings a good standard of residential amenity, to comply with the Council's adopted Design of New Development SPD.
- 148. **Access/traffic:** The Council's Highways Officer considers that satisfactory and safe access can be achieved to the site, for all vehicles including construction traffic and emergency services, from Salters Lane South and Alnwick Place. The location and design of the access would be subject to the planning application process. A developer would be required to submit a Transport Assessment to consider any impact from increased traffic on the highway network and whether mitigation works are necessary.
- 149. **Land:** A spring on the site could be accommodated within development. A site investigation report at planning application stage would show this, and how it was being accommodated.
- 150. **Biodiversity:** A Tree Survey submitted at planning application stage will ascertain whether any trees on the site should be retained and incorporated into a housing scheme or whether replacement trees should be replanted. Any planning application would have to be accompanied by a Phase 1 or Phase 2 Habitat Survey which would set out the measures required to ensure no net loss of existing biodiversity value.
- 151. **Flooding:** A Flood Risk Assessment will also be carried out, which should consider surface water flooding and drainage, and will form part of the planning application.
- 152. **Other:** The allocation of land for housing does not specify that it is for affordable or private housing, or offer any control over who may occupy them. The Council's

technical work indicates that this site could come forward without reducing the desirability of the area as a place to live.

153. **ACTION:** Officers are satisfied that an acceptable layout can be achieved, so it is unlikely that this site will be de-allocated.
154. **Alexander Street/Blackett Road (Rha7):** The drop-in event and written responses highlighted the following common concerns:
- (a) **Traffic/highways:** Haughton Road is heavily congested already. This will make it worse.
 - (b) **Biodiversity:** Protected Great Crested Newts present on site, and there is a Biodiversity Action Plan (BAP) Priority Habitat within the boundary of site, whose value and contribution to ecological networks should be preserved and enhanced and new habitats created where possible.
 - (c) **Flooding:** Part of the site is prone to heavy flooding and unsuitable for residential use.
 - (d) **Greenspace:** The field is used by children as a play area, a dog waking area & a nature reserve. Why not turn the area into a play area for children? Few such areas exist in this ward, it has been used for several generations, and its loss would be widely felt.
 - (e) **Contamination:** Remember about the methane tanks.

Officer Comments and Key Actions

155. **Traffic/highways:** There is sufficient access space and capacity on Haughton Road to accommodate the traffic from the proposed development.
156. **Biodiversity:** The constraints identified will be highlighted to potential developers through a statement of planning requirements.
157. **Flooding:** The site is not identified as being at risk of flooding by the Environment Agency. Any issues of surface water drainage within the site would be for any developer to address, and to ensure that no new problems are created adjacent to the site.
158. **Greenspace:** The need to retain some greenspace for the uses identified by residents is acknowledged, and the draft policy allows for 0.9ha of space to be retained. However, development of part of this site provides an opportunity to enhance the remainder.
159. **Contamination:** The Council is aware of the methane tanks and this will be taken into account in locating and designing any new development on the site. It suggests that the grassed area of land to the rear of the houses fronting Haughton Road may be the best location for retaining open space.

160. **ACTION:** None of the issues raised are considered to be showstoppers, but provide useful pointers as to the amount and form of development that could be accommodated, and will inform the planning requirements statement for the site.
161. **Eggleston View (RH17):** The drop-in event covered the Local Plan allocation process and the then live planning application for 24 units on the site. Most of the comments received related to the planning application, and raised the following concerns:
- (a) **Traffic/car parking:** Would cause additional on-street car parking, adding to traffic congestion and road safety issues, on a road that is a main access to the estate and school.
 - (b) **Amenity:** Will greatly reduce the amenity of the street and surrounding area, by eliminating the lovely view, and will adversely impact on the local property prices.
 - (c) **Flooding:** The area is prone to flooding and subsidence.
 - (d) **Site choice:** Brownfield sites should be used before green; new homes are needed but not at the expense of parks and playing fields like Cockerbeck Meadow. The SHLAA did not mention the site until 2011, when its suitability was queried, because of its impact on the green wedge and there not being enough depth to provide frontage development onto the green area. What changed the Council's view that it would be suitable?
 - (e) **Biodiversity/greenspace:** The site is an integral part of the natural environment, creating a wonderful green space within the estate. An application to create a pond has been recently approved. The area is home to a wealth of flora and fauna, and the park is lined with some beautiful trees, that could be lost. The Council have gone to great lengths to make this area a Nature Reserve to encourage wild life and now plan to build on it. The site is enjoyed by many in various ways i.e. walking, play area, sledging etc., apart from being a green, pleasant area.
 - (f) **Noise/pollution:** Development would bring considerable disruption, noise and pollution to the residents already there.

Officer Comments and Key Actions

162. **Traffic/car parking:** The Council's Highways Officer considers that development of part of the site will not compromise road safety and that a satisfactory access can be achieved.
163. **Amenity:** The site presents opportunities to retain some openness and outlook for existing properties, and development of part could help to fund improvements to the remainder of the site for continued informal recreation use by local residents. The

impact of an allocation of land on property values is not a material planning consideration.

164. **Flooding:** Officers are not aware of subsidence on the site, and it would be the responsibility of the developer to ensure any issues of land stability are adequately addressed. Any developable area would exclude areas of flood risk.
165. **Site choice:** The Council supports the development of brownfield sites wherever it can, but in the current economic circumstances, the costs of bringing forward these sites mean that many are currently unviable. National policy also requires that there is a range and choice of sites available. The change in the assessment of the site's suitability was made following further consideration of the constraints identified. The outcome of that work concluded that development on part of the site could enable many of the positive qualities of the site to be safeguarded and enhanced.
166. **Biodiversity/greenspace:** The Council's Ecology Officer has identified the species, mature trees and habitats present, which would be taken into account in the design of any development. Mitigation would also be required to compensate for any loss of habitats / flora and fauna. The development of part of the site could provide opportunities for the improvement of the remainder of the site for its wildlife and amenity value.
167. **Noise/pollution:** The issues raised can be controlled through conditions on any planning permission granted in the future.
168. In response to matters raised during the recent consultation and unresolved planning matters, the planning application submitted in June was withdrawn and a redesign of a Council housing scheme has resulted in a new planning application for 12 dwellings being submitted, which is likely to be considered by Planning Committee in November.
169. **ACTION:** It is likely that the site will be retained as an allocation, but this may be overtaken if a deliverable planning application is granted before the plan is finalised.
170. **Hammond Drive (RH18):** A petition opposing the development of this site that was originally received by the Council during the Preferred Options consultation last year was resubmitted. The key concerns of local residents include:
- (a) **Access:** a main route into Skerne Park Estate, there would be an increased risk to children safety due to the diminished open playing field, the increased volume of traffic, and additional parked cars.
 - (b) **Alternative Building Sites:** acknowledge general need to build more houses but suggest alternative sites nearby.
 - (c) **Play Facilities:** currently no play areas on the estate for children other than the proposed building site on Hammond Drive. It is an open, safe space easily

overseen by parents/adults. An amenity used by many residents and non-residents alike.

- (d) **Recreational Purposes:** a development covering most of the site would cause loss of at least part of an attractive landscape view of an important green corridor from one of the Borough's more deprived wards.
- (e) **River Skerne:** the field at Hammond Drive acts as a flood plain during periods of heavy rain.
- (f) **Wildlife:** modernisation of local gardens led to removal of privet hedges and the habitat they provided. Since then, many garden birds have migrated to this area.

Officer Comments and Key Actions

- 171. These comments, that were submitted as part of the 2013 consultation have been considered. Officers consider that the development of part of the site for a limited number of dwellings, could be achieved taking into account many of the issues that were raised, and with a suitably designed and located scheme, many of the concerns raised can be accommodated
- 172. Officers consider that a suitably designed and located scheme on the northern part of the site could be accommodated, allowing the southern part to be retained to maintain the physical and visual linkages between the estate and green space. This could address many of the concerns raised by residents.
- 173. Before any development could take place, there would need to be a planning application on a specific proposed scheme. Local residents would be consulted on this and have the opportunity to have their views taken into account as part of the development management process. As work is underway to design a Council housing scheme on part of the site, it is likely that will be the subject of a planning application before any site allocation designation is finalised.
- 174. **ACTION:** It is likely that a reduced site area will be identified.
- 175. **Former Alderman Leach School Field (RH12):** The drop-in event and written responses highlighted the following common concerns:
 - (a) **Biodiversity:** A whole variety of nature resides here and it's a green corridor.
 - (b) **Amenity:** Residents of bungalows adjacent to existing school field raising concerns about 2 or 3 storey houses next to the boundary.
 - (c) **Open space:** Any communal garden (open space) should be located adjacent to the boundary with the bungalows to maintain privacy.
 - (d) **Flooding:** Site has flooding issues and is boggy. Run off ponds at the junction of Sugar Hill Grove and Stoopdale Avenue, making it sometimes impassable.

Officer Comments and Key Actions

176. **Biodiversity:** The Council is not aware of any protected species on the site, and the site is not part of a designated Green Corridor.
177. **Amenity:** All new development must be designed to protect the amenity of existing properties, as afford occupants of new dwellings a good standard of residential amenity, to comply with the Council's adopted Design of New Development SPD.
178. **Open Space:** The location of any open space within the development will be determined at detailed design (planning application) stage.
179. **Flooding:** A small section of the site is identified as being of 'Low Susceptibility to Surface Water Flooding' in the Council's Strategic Flood Risk Assessment and on the Environment Agency Surface Water Flooding Map. As only a very small percentage of the site is 'low' risk this can be factored into any detailed design. Developers will be encouraged to incorporate Sustainable Urban Drainage (SUD's) into their designs. A well designed scheme should improve the existing drainage at the site.
180. **ACTION:** None of the matters raised are considered to be potential showstoppers, so it is likely that this site will allocated for new housing.
181. **Cattle Mart, Clifton Road (RH5):** The drop-in event and written responses highlighted the following common concerns:
- (a) **Car parking:** Loss of commuter parking for the train station and bus parking when the train passengers are off loaded at Darlington due to rail breakdowns. This will cause more commuter parking in surrounding streets, such as Nelson Terrace, Granger Street and Leafield Road where residents already have difficulty parking during the daytime. What parking facilities will there be for rail commuters? Will residents of these streets be given free resident parking permits? Will there be enough parking for new residents?
 - (b) **Access:** Where?
 - (c) **Health & Safety:** When will the buildings be demolished and how the site will be secured during and after? Children frequently play inside and on the roofs at the moment - very dangerous. Also rats will be displaced when demolition of the cattle mart begins.
 - (d) **Amenity:** Height and density of new houses causing overlooking of Waverley Terrace and impacting on outlook.
 - (e) **Contaminated land** – Site will need cleaning and purifying, because it has been a cattle market for many years and previously an abattoir. What protection will be provided for existing neighbourhood when the cleaning process is in hand? Who will be responsible for this if the site is sold to a developer?

- (f) **Trees:** Houses will impinge on the line of protected trees that run along the side of the street. This is the only bit of green visible from houses so don't want them destroyed or replanted with other species.
- (g) **Ownership of the mart** - Has the land been sold/ is it up for sale? If it has been sold who owns it? If not who is responsible for it at the moment?
- (h) **Other:** Hope the development will enhance our street and not detract from it. It could be used for an environmental park for educational use.

Officer Comments and Key Actions

- 182. **Car parking:** The Council would consider a resident's only parking scheme if commuter parking around the station becomes a problem. Park Lane and Bank Top Station car parks are close by and available for both short stay and long stay parking for commuters and replacement buses, when needed. Parking standards will be agreed with Highways Officers at planning application stage, and parking for future residents will need to be provided on site.
- 183. **Access:** Access to the site will be agreed at planning application stage, but could use some of the existing points of access, from Park Lane, Waverley Terrace and Clifton Road.
- 184. **Health & Safety:** the safety and security of the site during demolition and construction will be the responsibility of the developer. These can be controlled through a planning condition to limit impact on surrounding residents. The Auction Mart is responsible for any existing problems associated with anti-social behaviour, children playing on and in the buildings and general security at present.
- 185. **Amenity:** The consideration of proposals against plan policies and the Design of New Development SPD during the development management process would ensure that there would not be unacceptable overlooking arising from any development of this site. The Council's Environmental Health Team should be contacted about rat problems. The Council may decide to demolish the buildings and secure the site if there is a gap between the Auction Mart vacating it and a developer purchasing it.
- 186. **Contamination:** Significant remediation is required before the site will be suitable for residential use. It would need to both make the site safe for residential use and ensure any contaminants do not affect existing residents. It can be secured by planning condition, and monitored by Environmental Health and Planning Officers.
- 187. **Trees:** The trees on Waverley Terrace are protected and just outside the site. Any properties built will need to be set back from the site boundary to ensure the foundations do not damage the roots of these trees.
- 188. **Ownership:** The site is owned by the Council. The livestock market area is leased to Darlington Farmers Auction Mart. The Auction Mart is planning to relocate to new facilities at Humbleton Farm, and discussions are at an advanced stage with

the Council to secure this. Once vacant, the buildings/site will be the responsibility of the Council until the land is sold to a developer.

189. **Other:** The relocation of the Auction Mart will have a positive impact on the surrounding residential area, by removing the odours, noise and disruption associated with this historic operation. A well-designed residential scheme on the site, compatible with the surroundings, could visually enhance the area.
190. **ACTION:** none of the matters raised are considered to be potential showstoppers, so it is likely that this site will be allocated for new housing.
191. **Woodburn Nursery (RH13):** The drop-in event and written responses highlighted the following common concerns:
- (a) **Access:** The narrow access road would result in a nuisance to residents and would have a detrimental effect on the adjacent properties including the listed cottages which would require a high degree of protection. There is a historic pedestrian access to Cemetery through the site.
 - (b) **Greenspace:** There is a shortage of green space in the immediate area for residents and this space should be considered for this use.
 - (c) **Site capacity:** The proposed number of properties would result in an over development. Small sustainable development (15-22 homes) respecting origins as ancient farmland / Quaker philanthropically inspired horticultural (flower, fruit, walled / market gardens) hedges and trees (no solid barriers) could positively improve local landscape / sociability of wider community. Visual appearance of local heritage site and ecological diversity almost been expunged.
 - (d) **Boundaries:** What will happen to the existing boundary wall / iron fence that currently forms south side boundary of Woodburn / Nubeck Nursery?
 - (e) **Amenity:** Concerns about potential overlooking/overbearing existing adjacent housing, including listed Woodburn Cottages.
 - (f) **Access to community services:** There is relatively poor access to community services for people unable to walk far or without personal transport. Medical services are oversubscribed so many local residents travel to practices elsewhere.
 - (g) **Highway safety:** Potential serious effects where A67, Salutation Road, site gateway, private driveways are close together. Existing traffic queues here at peak times, and many children on foot/bike crossing site entrance on way to schools.
 - (h) **Impact on cemetery:** Proposed development is an intrusion into Cemetery space which should be reserved for the same.

- (i) Justification for 4+ bedroom houses required.
- (j) Valuable for wildlife.
- (k) Existing listed buildings should be protected.

Officer Comments and Key Actions

192. **Access/highway safety:** The existing access corridor is acceptable and wide enough to provide a carriageway width and footways. Transport Assessment will be required as part of any planning application. Pedestrian access to the Cemetery will be retained and measures will be taken to prevent unauthorised vehicle access.
193. **Greenspace:** The site is not a Locally Important Open Space as defined in the Open Space Strategy. Some development is considered acceptable as long as the greening and spaciousness provided by the site to the surrounding built up area is retained.
194. **Site capacity:** The number of dwellings proposed can be accommodated without a detrimental impact on the adjoining Cemetery, its setting and heritage assets.
195. **Boundaries:** The boundary wall and fence is an integral part of the setting of the Cemetery, and any development will need to retain the wall or ensure any replacement sections are sympathetically designed. Any damage to the wall as a result of development will need to be sympathetically repaired.
196. **Amenity:** To maintain the visual relief provided by the site and to protect the tree canopy skyline any development is likely to be a maximum of 2 storeys.
197. **Access to community services:** This would be similar for this site as is experienced by residents in the adjacent existing housing. Bus stops on Salutation Road offer a half-hourly service and are within 200m of the site entrance.
198. **Impact on cemetery:** The proposed site is adjacent to but does not intrude into the Cemetery. The Cemetery is a Registered Historic Park & Garden and any development will need to be developed to minimise impact on local character and setting. This is reinforced by MGP policies 21 and 22.
199. **Need for 4+ bed homes:** The Darlington Strategic Housing Market Assessment has indicated a demand for larger 4+ bed properties that cannot currently be met within the town.
200. **Wildlife:** All development will be subject to appropriate surveys, including bat and other ecological surveys, to establish the presence or otherwise of important species and habitats. Where necessary, appropriate mitigation will be required provided. All healthy trees on site will be protected.

201. **Heritage:** The listed building to the south of the site does have roots in the town's Quaker heritage. Any development will be required to protect and where possible enhance the setting of the listed building.
202. Marketing of this site is underway now. All comments made during the consultation raise planning issues that will be properly addressed during the development management process, when a detailed scheme will be considered.
203. **ACTION:** None of the matters raised are considered to be potential showstoppers, so it is likely that this site will be allocated for new housing.
204. **Land north of Red Hall (RH8):** The drop-in event and written responses highlighted the following common concerns:
- (a) **Biodiversity:** The Environment Agency (EA) data suggests Great Crested Newts may be present on the site.
 - (b) **Environmental health:** The EA indicate there is a permitted waste facility on the site, and any housing development located within close it could be exposed to impacts such as excessive noise, dust, odour, pests and litter. It is highly recommended that housing is located away from this facility. Developers should also carry out a risk assessment to ensure any potential gas migration from McMullen Road Landfill Site is adequately addressed.

Officer Comments and Key Actions

205. **Biodiversity:** DBC has no current record of Great Crested Newts at this site.
206. **Environmental Health:** DBC have no record of a permitted waste facility, either current or historic, within the site boundary and are clarifying this with the Environment Agency.
207. DBC information indicates that 80% of the site is unlikely to be contaminated, but a Contamination & Remediation Report, submitted with any planning application should reveal if there is any and how it will be addressed in any scheme, to safeguard future residents on-site and off-site.
208. **ACTION:** Subject to clarifying the position regarding the waste transfer facility, it is likely that this allocation will be retained.
209. **Ravensthorpe, Carmel Road North (RH19):** The drop-in event and written responses highlighted the following common concerns:
- (a) **Traffic:** It would be dangerous to have access on/off Carmel Road North to service 20 dwellings. There is significant congestion on Cleveland Terrace due to road design and school transport requirements and access here would greatly exacerbate the problem.

- (b) **Biodiversity:** The Environment Agency records indicate that Great Crested Newts may be present on the site. There is also a BAP (Biodiversity Action Plan) Priority Habitat adjacent to the boundary of site, whose value and contribution to ecological networks should be considered when locating new development.
- (c) **Site capacity:** If existing building is demolished new build would only be allowed on the existing footprint and not the green space and therefore the number of houses proposed could not be accommodated. If infill around building is planned, the number of properties envisaged would result in over development.
- (d) **Other:** The site table states 6 houses but an officer at the Market event stated the development is potentially 20 units.

Officer Comments and Key Actions

- 210. **Traffic:** The existing access point from Carmel Road North would need to be upgraded to the satisfaction of the Highway Officer to ensure road safety. A Transport Statement/Assessment will form part of any application and will need to consider existing traffic flows and any additional impact that the development could have on it.
- 211. **Biodiversity:** DBC information does not indicate any Great Crested Newts at this site.
- 212. **BAP Priority Habitat –** Any planning application would have to be accompanied by a Phase 1 or Phase 2 Habitat Survey which would set out the measures required to ensure no net loss of existing biodiversity value.
- 213. **Site capacity:** The Council will support a scheme which retains the existing Victorian Villa and proposed demolishing the more modern ancillary extensions or buildings which detract from the character of the site. 20 units could be achieved by a conversion of the Villa and low density, high quality development within the grounds, though the final numbers may be less once a detailed design sensitive to the site and surroundings is drawn up.
- 214. **Other:** The 6 dwellings stated in Appendix 1 - Site Assessment table is an error. 20 is the correct figure.
- 215. **ACTION:** None of the matters raised are considered to be potential showstoppers, so it is likely that this site will be allocated for new housing.
- 216. **Back Greenwell Street (RHa21):** The drop-in event and written responses highlighted the following common concerns:
 - (a) **Traffic/highway safety:** Will result in more congestion from parking and obstruction of access to alleys and rear yards and concerns about highway safety.

- (b) **Health and safety** of all residents especially children / vulnerable individuals.
- (c) **Amenity:** Reduction in natural light to surrounding properties / yards.
- (d) **Other:** Existing abandoned warehouse, grass and litter are health hazards.

Officer Comments and Key Actions

- 217. **Traffic/highway safety:** Parking for new homes will need to be provided on-site, so should not affect or obstruct the existing alley adjoining the site. A Transport Statement/Assessment will that is submitted with any planning application will identify if any highway works are needed to the surrounding streets for highway safety.
- 218. **Health and safety:** will be considered and mitigated through the development management process
- 219. **Amenity:** All new development must be designed to protect the amenity of existing properties, and afford occupants of new dwellings a good standard of residential amenity, to comply with the Council's adopted Design of New Development SPD.
- 220. **Other:** The existing building would be removed which will remove any existing health and safety concerns. In the meantime, concerns are noted and will be reported to Environmental Health.
- 221. **ACTION:** None of the matters raised are considered to be potential showstoppers, so it is likely that this site will allocated for new housing.
- 222. **Upper Russell Street (RH24):** Concerns have been raised about the possibility of housing being built on the site because the land is unstable. Concerns about the effect of any pile driving etc. on adjacent properties. A small terrace on this site was demolished in the 1990's because of subsidence.

Officer Comments and Key Actions

- 223. The site was identified for 6 dwellings but it has not proved attractive to RSLs for new affordable housing in the latest HCA affordable housing bidding round.
- 224. **ACTION:** Given the above and the low numbers envisaged, it is likely that this will be de-allocated. Should a developer be interested, it would come forward as a windfall through the development management process.
- 225. **Former Arts Centre, Vane Terrace (RH9):** The Environment Agency records indicate Great Crested Newts present on site.

Officer Comments and Key Actions

226. DBC's information shows no current record of Great Crested Newts at this site. Two prospective developers are currently working together to draw up an acceptable scheme for this site to enable them to progress to purchase.
227. **ACTION:** No changes to the revised preferred option are warranted.

OTHER URBAN LAND

228. There were a number of sites for which no comments were received during this consultation. These were generally sites which either already have planning permission or where no change to the Preferred Option, consulted on in 2013, is being suggested, or where development has started. These are:
- (a) Former Corus land, Whessoe Road (RHc1)
 - (b) Former DFC Ground, Feethams (RHc2)
 - (c) Rear of Heron Drive (RHc3)
 - (d) Ruck/rear Cockerton Club (RHc4)
 - (e) Croft House, Hurworth Place (RHc5)
 - (f) Former Eastbourne Nursery (RHc6)
 - (g) Alverton Drive (RHc7)
 - (h) 1 Blackwell Lane (RHc8)
 - (i) Forge Tavern, Albert Hill (RHc9)
 - (j) 136 Lawson Street (RHc10)
 - (k) Rise Carr Club (RHc11)
 - (l) Former Eastbourne School Footprint (RHc12)
 - (m) Former Eastbourne School Playing Field (RHc2):
 - (n) Memorial Hospital (RHc6)
 - (o) Mowden Hall (RHc14)
 - (p) Glebe Road North (RHc15)
 - (q) Darlington Timber Supplies (RHc16)
 - (r) Land to the rear of Scargill Shops (RHc23)

Officer Comments and Key Actions

229. It is likely that all these sites will continue to be identified for new housing, subject to the findings of outstanding technical studies, unless work is well underway, in which case they will contribute to meeting housing needs as commitments, and not allocations.

Proposed New Site Allocations

230. As well as getting views on the proposed sites, other suggestions also came forward through the consultation process. All of these are shown on the plan at **Appendix 3**.
231. Where sites have not been considered previously through the Local Plan process, or where updated information is provided, they will be (re)assessed, and if they

perform better in the assessment process than any of the draft allocations, then consideration will need to be given to including them instead.

ISSUES AND RISKS

Viability

232. Several consultation responses received from potential developers expressed concerns about the overall level of potential financial burdens on them, should they bring sites forward in the plan period. On the other hand, community infrastructure providers (schools, health) are highlighting the potential gap between what can be secured with new development and the overall costs of new or expanded infrastructure provision. Discussions are also still required with physical infrastructure providers to ensure that they can meet the needs of new development at the places and times envisaged.
233. Work has started on a whole plan viability assessment to find out if the total value of contributions and planning requirements that will be sought on sites within the plan area are at the right level to ensure that it is still possible for viable developments to come forward. If this cannot be demonstrated, then we will have to consider revisiting and reducing the level and range of planning conditions and contributions that we are seeking on the sizes and types of sites that fail this test.

Sustainability appraisal

234. Sustainability appraisal (SA) was carried out on a range of potential housing sites to inform the revised preferred options. It identifies significant concerns with the Eastern Urban Fringe (landscape, ecology and surface water flooding issues), and North of White House Pub/Hotel (noise and air pollution due to proximity to A167 as well as landscape and habitat concerns).
235. A number of significant issues were raised in the sustainability appraisal of Muscar House Farm, that may not have been picked up in the same way elsewhere. These are:
- (a) Poor access to services and facilities on foot, although this could be improved with off-site walking and cycling network improvements secured as part of new development.
 - (b) Jobs and frequent bus services are beyond a short walking distance. The private car will always be an expected travel choice at this location.
 - (c) The site would only contribute to regeneration if the land receipt was used to help deliver planning and other regeneration objectives in deprived wards elsewhere in the town.
236. In some cases, more information has become available since the SA work was carried out, or the assessors were unaware of specific actions or information to address the concerns, e.g. the potential flood issue on part of the Eastern Urban

Fringe. A small number of errors have since been identified within it, which will be addressed in finalising it in the next month or so.

237. **ACTION:** Subject to the above, it is proposed to address the mitigation recommendations in the SA through a planning requirements and concept plan sheet for each proposed housing site. These will be included as an appendix to the local plan. This includes taking account of any additional SA assessments carried out on any revised boundaries or additions to the revised preferred option sites.
238. **Phasing:** Developers suggest that phasing should only be used to demonstrate adequate supply of housing land over the plan period and not to restrict the timing of delivery of sites.
239. The purpose of phasing new housing delivery, to help ensure brownfield and more sustainably located sites are brought forward before others, has been somewhat overtaken by the imperatives of national policy, which is all about how much housing, and less so about where it goes. The Core Strategy did allow for phasing to be waived when not enough housing was being built, and this waiving is now being proposed through the emerging housing policy, e.g. bringing forward Eastern Urban Fringe before significant progress has been made on Lingfield Point, Town Centre Fringe and North West Urban Fringe. A report to Cabinet in February also identified Muscar House Farm as one site whose delivery may need to be brought forward to fulfil help bring forward enough housing in the next few years, and it is possible that Stag House Farm (part of the North West Urban Fringe) may also be needed for this.
240. **ACTION:** The delivery timescale for specific sites is likely to be removed from the policy, or made more flexible, by indicating that development amounts and phasing are the latest and least that would be required to deliver the plan objectives.

Durham Tees Valley Airport and other non-allocated sites

241. There is a prospect that significant amounts of new housing could come forward outside the plan making process, as a result of decisions made on planning applications. Examples of this could be a planning application for about 350 new homes on land at Durham Tees Valley Airport which is expected in September, and for up to 250 new homes at Middleton St. George, if the Council is unsuccessful in defending its refusal of a planning permission at a public Inquiry in November.
242. Should new housing be granted planning permission via either of these routes, then the proposal is to treat them as windfalls, and additional to the planned allocations, so as to provide the Council with a bigger buffer against possible under delivery of new housing in the future, and to help the Council evidence existence of a five year housing land supply. Any such permissions may affect the build out rates on other sites if the housing market has not grown enough, but this will be monitored and managed as necessary.

Next Steps and Timetable

243. Progress on all the proposals above is subject to there being no insurmountable issues being highlighted by the technical studies still underway, and no other new 'show stopping' information emerging. Work still underway includes whole plan viability testing, transport impact assessment and sustainability appraisal.
244. The above work will be completed over the next month or so, so that a finalised draft Local Plan can be presented to Cabinet on 2nd December and Council on 4th December. If agreed, the further regulatory steps, including inviting representations on the plan, will be taken over the period to mid-February, leading up to the Public Examination of the draft Plan by an Independent Inspector in late Spring/early summer 2015. The Council will not be in a position to adopt the plan until it has received the Inspector's report and considered the recommendations in it, meaning that adoption of it is not likely until autumn 2015.
245. Members should note that the publication of the Local Planning Authority's land allocation documents is likely to prompt landowners/developers into submitting planning applications. Where these are in line with the allocation, officers would wish to negotiate positively with developers and in some instances prepare Planning and Development Briefs. There may well equally be aggressive applications where land owners and developers have not had their sites included, and consider their chances of securing a planning permission are higher before the plan is finally adopted.